

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE**

In re:

Northern New England
Primary Care, LLC,

Debtor

Edmond J. Ford,

Plaintiff

v.

Jorgensen Consulting, LLC,

Defendant

Chapter 7
Case No. 19-10563

Adv. Proc. No. 20-1018

DEFAULT JUDGMENT

On January 20, 2021, the Clerk entered a default against the Defendant in this proceeding under Fed. R. Civ. P. 55(a). [Dkt. No. 6.] Since then, the Plaintiff has applied for a default judgment on his complaint [Dkt. No. 1], seeking the entry of judgment in his favor and against the Defendant in the amount of \$56,930.10 plus interest, costs, and expenses [Dkt. No. 7]. After conducting two hearings on the motion for default judgment and considering the signed statements offered by the Plaintiff in support of the motion [Dkt. Nos. 16 & 17], the Court concludes that the Plaintiff is entitled to the following relief:

1. Judgment is hereby entered under Fed. R. Civ. P. 55(b)(2) in favor of the Plaintiff and against the Defendant on the Plaintiff's complaint in the amount of \$56,930.10.
2. Because the Plaintiff's claim against the Defendant is premised on state law, the Court looks to Maine law to determine the applicable rule of prejudgment interest. *See Lassman v.*

Keefe (In re Keefe), 401 B.R. 520, 526 (B.A.P. 1st Cir. 2009). Under 14 M.R.S. § 1602-B(3), the applicable rate of prejudgment interest is the one-year United States Treasury bill rate plus 3%. Prejudgment interest in this matter accrued from November 19, 2020 (the date the complaint was filed) until the date of this judgment. *See* 14 M.R.S. § 1602-B(5).

According to the website maintained by the Board of Governors of the Federal Reserve System, the interest rate on one-year Treasury bills for the week ending December 27, 2019 was 1.53%. *See id.* § 1602-B(3)(A) (defining “one-year United States Treasury bill rate” as the “weekly average one-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System, for the last full week of the calendar year immediately prior to the year in which prejudgment interest begins to accrue”).

Accordingly, prejudgment interest is awarded at the rate of 4.53%.

3. Postjudgment interest in this proceeding is governed by 28 U.S.C. § 1961(a). *See In re Keefe*, 401 B.R. at 526. Such interest shall accrue from the date of this judgment at the rate of 0.09%. *See* 28 U.S.C. § 1961(a) (“Such interest shall be calculated from the date of the entry of the judgment, at a rate equal to the weekly average 1-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding[] the date of the judgment.”).
4. The Plaintiff is allowed costs (but not attorney’s fees) under Fed. R. Bankr. P. 7054(b)(1).

Date: June 30, 2021



Michael A. Fagone
United States Bankruptcy Judge
District of Maine